

Remarks

The above-referenced patent application has been reviewed in light of the Office Action referenced above. Reconsideration of the above-referenced patent application in view of the foregoing amendments and following remarks is respectfully requested.

With the addition of claim 17, claims 1-17 are currently pending. Claims 1 and 11 have been amended, with claim 11 having been amended to address an informality that is merely directed to an inadvertent typographical error. No new matter has been added.

Claims Rejection – 102(e)

Horikoshi

The Examiner has rejected claims 1, 2, 4-6 and 9-16 under 35 USC 102(e) based on US Published Patent Application No. 2001/0024013 (hereinafter “Horikoshi”). This rejection is respectfully traversed.

Independent claim 1, as amended herein, recites that “*the idle roller and belt are located so as to receive the document via a feed-in path and to transmit the document via a feed-out path*”. It is submitted that Horikoshi does not disclose such a feature. Horikoshi purportedly discloses a curl correction means that is disposed in a two-sided print conveying path and only receives fed documents when two-sided printing is chosen as an option. See e.g. Horikoshi, page 6, prgh.84. Thus, for example, the curl correction mechanism as disclosed in Horikoshi is not located so as to receive a document from a feed-in path as it only receives documents upon a two-sided printing option being activated. Additionally, the curl correction mechanism is not located so as to transmit a

document to a feed-out path since the curl correction mechanism re-inputs the document to a second image forming process. In sum, the curl correction mechanism according to Horikoshi does not include an idle roller or belt that are located so as to either a) receive the document via a feed-in path or b) to transmit the document via a feed-out path.

It is noted that to establish a *prima facie* case of anticipation the Examiner must provide a document that discloses each and every limitation of the rejected claim or claims. See MPEP § 2131.01. Thus, since Horikoshi does not disclose the identical invention as recited in the claims, it is asserted that Horikoshi does not meet this requirement, and the rejection should be withdrawn.

It is noted that claims 2, 4-6 and 9-16 depend from claim 1. Therefore, these claims distinguish from the cited document at least on the same basis as claim 1. It is respectfully requested that the Examiner also withdraw the anticipation rejection as to claims 2, 4-6 and 9-16. New claim 17 also distinguishes over Horikoshi at least on the same or a similar basis as claim 1 and is therefore also patentable over the reference relied upon.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is invited to call the undersigned attorney, Kenneth J. Cool, at (720) 227-9445 if there remains any issue with allowance.

Respectfully submitted,

ATTORNEY FOR ASSIGNEE

Date: 8-23-05

A handwritten signature in black ink, appearing to read 'KJ Cool', is written over a horizontal line.

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